

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ANTHONY TERRELL MCGOWAN,

Plaintiff,

Case No. 1:23-cv-261

v.

Honorable Ray Kent

L. PAUL BAILEY,

Defendant.

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**ORDER FOR SERVICE**

This is a prisoner civil rights action. The Court has conducted an initial review of the complaint pursuant to 28 U.S.C. §§ 1915(e) and 1915A and 42 U.S.C. § 1997e(c), to determine whether it is frivolous, malicious, fails to state a claim upon which relief can be granted or seeks monetary relief against a defendant that is immune from such relief. Upon initial review, the Court concludes that the complaint is not subject to dismissal for any of the reasons listed above. Therefore:

**IT IS ORDERED** that the Clerk shall forward the complaint to the U.S. Marshals Service, which is authorized to mail a request for waiver of service to Defendant L. Paul Bailey in the manner prescribed by Fed. R. Civ. P. 4(d)(2). If waiver of service is unsuccessful, summons shall issue and be forwarded to the U.S. Marshals Service for service under 28 U.S.C. § 1915(d).

**IT IS FURTHER ORDERED** that the Defendant Bailey shall file an appearance of counsel (individual Defendants may appear *pro se* if they do not have counsel) within 21 days of service or, in the case of a waiver of service, 60 days after the waiver of service was sent. Until so ordered by the Court, Defendant Bailey is not required to file an answer or motion in response to

the complaint, and no default will be entered for failure to do so. *See* 42 U.S.C. § 1997e(g)(1).

After Defendant Bailey has filed an appearance, proceedings in this case will be governed by the Court's Standard Case Management Order in a Prisoner Civil Rights Case.

Dated: March 27, 2023

/s/ Ray Kent  
RAY KENT  
United States Magistrate Judge